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ILLINOIS COMMERCE  
COMMISSION

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

**MAY 16 3 28 PM '01**  
TRANSPORTATION DIV.

**THE DEPARTMENT OF TRANSPORTATION  
OF THE STATE OF ILLINOIS, for and in  
behalf of the People of the State of Illinois,**

**Petitioner,**

vs.

**TP & W ACQUISITION CORPORATION,**

**Respondent.**

No. **T01-0035**

**(Parcels 407H217PE and 407H217TE)**

**PETITION FOR APPROVAL TO TAKE PROPERTY**

NOW COMES THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, Petitioner, by JAMES E. RYAN, ATTORNEY GENERAL and STANLEY L. MORRIS, Special Assistant Attorney General, and for its Petition for Approval to Take Property states:

1. Petitioner has engaged in the construction, operation and maintenance of FA Route 317 (US 24), a State highway under the control and jurisdiction of Petitioner, in Peoria, County, Illinois, under and by virtue of the Illinois Highway Code (605 ILCS 5/2-101 through 5/2-220 and 5/4-101 through 5/4-511). The lands and premises hereinafter described and legally described as set out in Exhibits "A" and "B" which are attached hereto and incorporated by this reference, are required to resurface and install retaining walls as a part of the improvement of U.S. 24 from Illinois Route 9 to Pfieffer Road in Bartonville, Illinois (hereafter the "Project")

**DOCKETED**

2. Respondent, Union Pacific Railroad Company, is a rail carrier as defined in the Illinois Commercial Transportation Law (625 ILCS 5/18c-7101 et seq.), is engaged as a common carrier by railroad within Illinois and is subject to the jurisdiction of the Illinois Commerce Commission.
3. The land, rights, and other property hereinafter described are private property and the following entities appear to have an ownership interest, or some lesser interest, in the property described in Exhibits “A” and “B” attached hereto.
  - a) TP& W Acquisition Corporation, c/o Rail America, Inc., 4440 Broadway, Suite 200, San Antonio, Texas, 78209
4. The Project is a public work, is for public use and constitutes a public purpose, namely the improvement of FA Route 3 17 (US 24), in Peoria County, Illinois; it is in the public convenience and necessity that the Petitioner have and acquire a permanent easement in Parcel 407H217PE Tracts 1-3, and temporary easement in Parcel 407H217TE Tracts 1-17, more particularly described in Exhibits “A” and “B”, respectively, attached hereto.
5. The compensation to be paid by the Petitioner to the Respondent for this parcel or the interest therein or the form of conveyance cannot be agreed upon between the Petitioner and the Respondent and the Petitioner, therefore, is authorized, subject to the initial approval of the Illinois Commerce Commission, to proceed to acquire said lands, rights or other property through the exercise of the right of eminent domain under the Eminent Domain of the Laws of Illinois.

WHEREFORE, Petitioner prays the Illinois Commerce Commission enter an Order authorizing Petitioner to proceed with an action in eminent domain to acquire from Respondent, Union Pacific Railroad Company, a permanent easement in Parcel 407H2 17PE Tracts 1-3, and a temporary easement in Parcel 407H2 17TE Tracts 1-17, more particularly described in Exhibits "A" and "B", respectively, all in accordance with Article VII (735 ILCS 5/7-101 through 5/7-129) of the Illinois Code of Civil Procedure.

THE DEPARTMENT OF  
TRANSPORTATION,  
STATE OF ILLINOIS, Petitioner

JAMES E. RYAN, ATTORNEY GENERAL

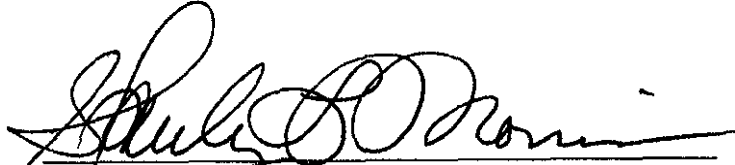
By: 

Stanley L. Morris, Special  
Assistant Attorney General

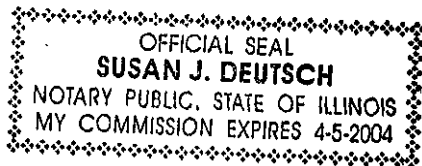
Stanley L. Morris  
Special Assistant Attorney General  
205 South Fifth Street, Suite 900  
Springfield, Illinois 62705-0255  
Telephone: (217) 753-1133

STATE OF ILLINOIS                    )  
  )  
COUNTY OF SANGAMON            )        ss

I, STANLEY L. MORRIS, of lawful age and being first duly sworn, depose and say that I am a Special Assistant Attorney General for the State of Illinois, that I have read the above and foregoing Petition by me subscribed, have knowledge of the contents thereof and that on information and belief said contents are true in substance and in fact.

  
STANLEY L. MORRIS  
Special Assistant Attorney General

Subscribed and sworn to before me, a Notary Public, this 16<sup>th</sup> day of May, 2001.

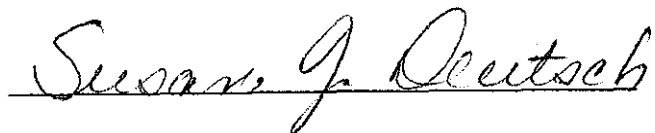


  
Notary Public

**PROOF OF SERVICE**

The undersigned certifies that on May 16, 2001, a copy of the foregoing document was deposited in the U.S. Mail, with postage prepaid, at Springfield, Illinois, plainly addressed to:

Mr. Todd Cecil  
TP& W Acquisition Corporation  
c/o Rail America, Inc.  
4440 Broadway, Suite 200  
San Antonio, Texas 78209





TP&W Acquisition Corp.,

A New Jersey Corp.

Name

Route F.A. 317 (US 24)

Section (46-1)RS-6,TS-2

County Peoria

Job No. R-94-007-92

Parcel No. 407H217-PE

Contract No. 88486

Catalog No. 030079-00

Sta. 18+354.097 (Rt.) to

Sta. 19+365.334 (Rt.)

PERMANENT EASEMENT

Tract No. 1

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Commencing at the northeast corner of the Northwest Quarter of said Section 14, said corner being 134.300 meters [440.62 feet] radially distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24), thence North' 89 Degrees 12 Minutes 33 Seconds West (Bearings are assumed for descriptive purposes only), 155.543 meters [510.31 feet] along the north line of said Section 14 to a point on the said centerline; thence southwesterly along a curve to the right having a radius of 1,754.355 meters [5,755.75 feet] an arc length of 303.066 meters [994.31 feet] with a chord length of 302.689 meters [993.07 feet] bearing South 37 Degrees 17 Minutes 39 Seconds West; thence South 42 Degrees 14 Minutes 36 Seconds West, 476.689 meters [1,563.94 feet] (the last two courses being along the centerline of said Route 317); thence South 47 Degrees 45 Minutes 24 Seconds East, 19.065 meters [62.55 feet] to a point on the existing southeasterly right of way line of said Route 317, said point being 19.065 meters [62.55 feet] normally distant southeasterly from the said centerline and the Point of Beginning.

From the Point of Beginning, thence South 47 Degree 45 Minutes 24 Seconds East, 3.541 meters [11.62 feet] to a point 22.605 meters [74.16 feet] normally distant southeasterly from the said centerline; thence South 42 Degrees 06 Minutes 08 Seconds West, 13.009 meters [42.68 feet] to a point 22.637 meters [74.27 feet] normally distant southeasterly from the said centerline; thence North 47 Degrees 45 Minutes 24 Seconds West, 3.604 meters [11.82 feet] to a point on the existing southeasterly right of way line of said Route 317, said point being 19.033 meters [62.44 feet] normally distant southeasterly from the said centerline; thence North 42 Degrees 22 Minutes 57 Seconds East, 13.009 meters [42.68 feet] along the existing southeasterly right of way line of said Route 317 to the Point of Beginning, containing 46 square meters [500 square feet], more or less, or 0.0046 hectare [0.012 acre], more or less.

#### Tract No: 2

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Commencing at the northeast corner of the Northwest Quarter of said Section 14, said corner being 134.300 meters [440.62 feet] radially distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24), thence North 89 Degrees 12 Minutes 33 Seconds West (Bearings are assumed for descriptive purposes only), 133.902 meters [439.31 feet] along the north line of the Northwest Quarter of said Section 14 to a point on the existing southeasterly right of way line of said Route 317, said point being 18.477 meters [60.62 feet] radially distant southeasterly from the said centerline; thence South 31 Degrees 52 Minutes 00 Seconds West, 17.401 meters [57.09 feet] along the existing southeasterly right of way line of said Route 317 to a point 18.597 meters [61.01 feet] radially distant southeasterly from the said centerline and also the Point of Beginning.

From the Point of Beginning, thence South 57 Degrees 27 Minutes 30 Seconds East, 9.799 meters [32.15 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 28.396 meters [93.16 feet] radially distant southeasterly from the said centerline; thence South 33 Degrees 39 Minutes 21 Seconds West, 13.213 meters [43.35 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 28.188 meters [92.48 feet] radially distant southeasterly from the said centerline; thence South 36 Degrees 50 Minutes 38 Seconds West, 16.847 meters [55.27 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 27.128 meters [89.00 feet] radially distant southeasterly from the said centerline; thence North 56 Degrees 29 Minutes 35 Seconds West, 7.925 meters [26.00 feet] to a point on the existing southeasterly right of way line of said Route 317, said point being 19.201 meters [63.00 feet] radially distant southeasterly from the said centerline; thence North 31 Degrees 52 Minutes 00 Seconds East, 29.879 meters [98.03 feet] along the existing southeasterly right of way line of said Route 317 to the Point of Beginning, containing 272 square meters [2,924 square feet], more or less, or 0.0272 hectare [0.067 acre], more or less.

#### Tract No. 3

A part of the Southwest Quarter of Section 11, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Commencing at the southeast corner of the Southwest Quarter of said Section 11, said corner being 134.300 meters [440.62 feet] radially distant southeasterly from the centerline of Federal

Aid Route 317 (United States Marked Route 24), thence North 0 Degrees 36 Minutes 59 Seconds West (Bearings are assumed for descriptive purposes only), 213.547 meters [700.61 feet] along the east line of the Southwest Quarter of said Section 11 to a point on the existing southeasterly right of way line of said Route 317, said point being 27.573 meters [90.46 feet] normally distant southeasterly from the said centerline; thence South 31 Degrees 52 Minutes 00 Seconds West, 40.965 meters [134.40 feet] along the existing southeasterly right of way line of said Route 317 to a point 25.770 meters [84.55 feet] normally distant southeasterly from the said centerline and also the Point of Beginning.

From the Point of Beginning, thence South 60 Degrees 39 Minutes 21 Seconds East, 2.969 meters [9.74 feet] to a point 28.739 meters [94.29 feet] normally distant southeasterly from the said centerline; thence South 31 Degrees 51 Minutes 42 Seconds West, 13.000 meters [42.65 feet] to a point 28.168 meters [92.41 feet] normally distant southeasterly from the said centerline; thence North 60 Degrees 39 Minutes 21 Seconds West, 2.970 meters [9.74 feet] to a point on the existing southeasterly right of way line of said Route 317, said point being 25.198 meters [82.67 feet] normally distant southeasterly from the said centerline; thence North 31 Degrees 52 Minutes 00 Seconds East, 13.000 meters [42.65 feet] along the existing southeasterly right of way line of said Route 317 to the Point of Beginning, containing 39 square meters [415 square feet], more or less, or 0.0039 hectare [0.010 acre], more or less.

Tracts No. 1, 2 and 3 contain a total of 357 square meters [3,839 square feet], more or less, or 0.0357 hectares [0.088 acres], more or less.

EXHIBIT

" B "

TP&W Acquisition Corporation,  
A New Jersey Corporation

Name

Route F.A. 317 (US 24)

Section (46-1)RS-6,TS-2

County Peoria

Job No. R-94-007-92

Parcel No. 407H217-TE

Contract No. 88486

Catalog No. 030079-00

Sta. 18+200.206 (Rt.) to

Sta. 19+376.242 (Rt.)

TEMPORARY CONSTRUCTION EASEMENT

Tract No. 1

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing southeasterly right of way line of Federal Aid Route 317 (United States Marked Route 24), said point being 25.140 meters [82.48 feet] radially distant southeasterly from the centerline of said Route 317 at Right of Station 18+200.217; thence northeasterly 35.329 meters [115.91 feet] to a point 21.831 meters [71.6 feet] radially distant southeasterly from the said centerline of Route 317; thence northeasterly 54.477 meters [178.73 feet] to a point 20.239 meters [66.40 feet] radially distant southeasterly from the said centerline of Route 317; thence northeasterly 67.408 meters [221.15 feet] to a point on the southerly line of a proposed permanent easement, said point being 19.033 meters [62.44 feet] normally distant southeasterly from the said centerline of Route 317 (the last three courses being along the existing southeasterly right of way line of said Route 317); thence southeasterly 3.604 meters [11.82 feet] along the southerly line of a proposed permanent



easement to 'a point 22.637 meters [74.27 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 13.009 meters [42.68 feet] along the easterly line of a proposed permanent easement to a point 22.605 meters [74.16 feet] normally distant southeasterly from the centerline of said Route 317; thence northwesterly 3.541 meters [11.62 feet] along the northerly line. of a proposed permanent easement to a point on the existing southeasterly right of way line of said Route 317, said point being 19.065 meters [62.55 feet] normally distant southeasterly' from- the said centerline of Route 317; thence northeasterly 4.746 meters [15.57 feet] to a point 19.076 meters [62.59 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly along a curve to the right an arc length of 8.912 meters [29.24 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 23.223 meters [76.19 feet] normally distant southeasterly from the said centerline of Route 317 (the last two courses being along the southeasterly right of way line of said Route 317); thence southwesterly 53.406 meters [175.22 feet] to a point 23.658 meters [77.62 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly along a curve to the right an arc length of 129.968 meters [426.40 feet] to a point 28.394..meters [93.16 feet] radially distant southeasterly from the said centerline of Route 317 (the last two courses being 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track); thence northwesterly 3.346 meters [10.98 feet] to the Point of Beginning, containing 776 square meters [8,353 square feet], more or less, or 0.0776 hectares (0.192 acres), more or less.

#### Tract No. 2

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 23.300 meters [76.44 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 18+359.500, thence southeasterly 2.900 meters [9.51 feet] to a point 1.45 meters [4.76 feet] southeasterly from the centerline of the nearest westerly track and 26.200 meters [85.96 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 4.001 meters [13.13 feet] to a point 1.45 meters [4.76 feet] southeasterly from the centerline of the nearest westerly track and 26187, meters [85.92 feet] normally distant southeasterly from the said centerline of Route 317; thence, northwesterly 2.900 meters [9.51 feet] to the Point of Beginning, containing 12 square meters [129 square feet], more or less, or 0.0012 hectares (0.093 acres), more or less.

#### Tract No. 3

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing southwesterly right of way of Federal Aid Route 693 (Illinois Marked Route 9), said point being 1.45 meters [4.76 feet] southeasterly from the centerline of the nearest westerly track, 24.306 meters (79.74 feet) normally distant southwesterly from the centerline of said Route 693 at Right of Station 0+025.927 and 26.112 meters [85.67 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 18+382.736; thence easterly along a curve to the right an arc length of 7,577 meters [24.86 feet] along the existing southwesterly right of way of said Route 693 to a point 1.45 meters [4.76 feet] northwesterly from the

centerline of the 'nearest easterly track, 20.276 meters [66.52 feet] normally distant southwesterly from the said centerline of said Route 693 and 32.460 meters [106.50 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 39.290 meters [128.90 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 32.440 meters [106.43 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 6.467 meters [21.22 feet] to a point 1.45 meters [4.76 feet] southeasterly from, the centerline of the nearest. westerly track. and. 25.973 meters [85.21 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 35.214 meters [115.53 feet] to the Point of Beginning, containing 240 square meters [2,583 square feet], more or less, or 0.0240 hectares [0.059 acres], more or less.

#### Tract No. 4

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing southwesterly right of way of Federal Aid Route 693 (Illinois Marked Route 9), said point being 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track, 18.816 meters [61.73 feet] normally distant southwesterly from the centerline of said Route 693 at Right of Station 0+036.893 and 37.036 meters [121.51 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 18+388.310; thence southeasterly along a curve to the right an arc length of 4,856 meters [15.93 feet] along the existing.. southwesterly right of way of said Route 693 to a point 18.288 meters [60.00 feet] normally distant southwesterly from the said centerline of Route 693 and 41.851 meters [137.31 feet] normally distant southeasterly from the said centerline of Route 317; thence. southeasterly 7.102 meters [23.30 feet] along the existing southwesterly right of way line of said Route 693 and parallel with the said centerline of said Route 693 to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 48.952 meters [160.60 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 26.956 meters [88.44 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to a point 48.936 meters [160.55 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 11.925 meters [39.12 feet] to a point 3.35 meters [10.99 feet]-southeasterly from the centerline of the nearest westerly track, said point being 36.989 meters [121.35 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 26.425 meters [86.70 feet] to the Point of Beginning, containing 320 square meters [3,444 square feet], more or less, or 0.0320 hectares [0.079 acres], more or less:

#### Tract No. 5

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing northeasterly right of way line of Federal Aid Route 693 (Illinois Marked Route 9), said point being 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track, 25.536 meters [83.78 feet] normally distant northeasterly from the centerline of said Route 693 at Left of Station 0+037.206 and 37.009 meters [121.42 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked' Route 24) at Right of Station 18+432.663; thence northeasterly

18.194 meters [59.69 feet] to a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 36.974 meters [121.31 feet] normally distant southeasterly from the centerline of said Route 317; thence southeasterly 11.928 meters [39.13 feet] to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 48.921 meters [160.50 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 25.337 meters [83.13 feet] along the southeasterly railroad right-of-way line of the TP&W Acquisition Corporation to a point on the existing northeasterly right of way line of said Route 693, said point being 18.288 meters [60.00 feet] normally distant northeasterly from the said centerline of Route 693 and 48.930 meters [160.53 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly along a curve to the right an arc length of 13.962 meters [45.81 feet] along the existing northeasterly right of way line of said Route 693 to the Point of Beginning, containing 265 square meters [2,852 square feet], more or less, or 0.0265 hectares [0.065 acres], more or less.

#### Tract No. 6

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 36.974 meters [121.31 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 18+450.756, thence northeasterly 30.100 meters [98.75 feet] to a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 37.006 meters [121.41 feet] normally distant southeasterly from the said centerline of Route 317; thence southeasterly 11.903 meters [39.05 feet] to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 48.910 meters [160.47 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 30.1001 meters [98.43 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to a point 48.921 meters [160.50 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 11.928 meters [39.13 feet] to the Point of Beginning, containing 357 square meters [3,843 square feet], more or less, or 0.0357 hectares [0.088 acres], more or less.

#### Tract No. 7

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 23.785 meters [78.03 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24 at Right of Station 18+463.624), thence northeasterly along a curve to the right an arc length of 4.001 meters [13.13 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 23.821 meters [78.15 feet] normally distant southeasterly from the said centerline of Route 317; thence southeasterly 13.201 meters [43.31 feet] to a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 36.981 meters [121.33 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 4.000 meters [13.12 feet] to a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 36.983 meters [121.34 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly

13.313 meters [43.68 feet] to the Point of Beginning, containing 53 square meters [570 square feet], more or less, or 0.0053 hectares [0.013 acres], more or less.

#### Tract No. 8

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian; in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing southeasterly right of way line of Federal Aid Route 317 (United States Marked Route 24), said point being 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 23.395 meters [76.76 feet] normally distant southeasterly from the centerline of said Route 317 at Right of Station 18+451.917; thence northeasterly along a curve to the right an arc length of 5.287 meters [17.35 feet] and along the existing southeasterly right of way line of said Route 317 to a point 20.776 meters [68.16 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 135.758 meters [445.40 feet] along the existing southeasterly right of way line of said Route 317 to a point 20.762 meters [68.12 feet] normally distant southeasterly from the said centerline of Route 317; thence southeasterly 7.236 meters [23.74 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 27.998 meters [91.86 feet] normally distant southeasterly from the centerline of said Route 317; thence southwesterly 85.797 meters [281.49 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 27.478 meters [90.15 feet] normally distant southeasterly from the centerline of said Route 317; thence southwesterly along a curve to the left an arc length of 61.587 meters [202.06 feet] to the Point of Beginning, containing 841. square meters [9,052 square feet], more or less, or 0.0841 hectares [0.208 acres], more or less.

#### Tract No. 9

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 37.006 meters [121.41 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 18+480.856; thence northeasterly 392.685 meters [1,288.33 feet] to a point 37.209 meters [122.08 feet] radially distant southeasterly from the said centerline of Route 317; thence northeasterly along a curve to the left an arc length of 201.028 meters [659.54 feet] to a point 37.577 meters [123.28 feet] radially distant southeasterly from the said centerline of Route 317; thence northeasterly 43.168 meters [141.63 feet] to a point 42.654 meters [139.94 feet] radially distant southeasterly from the said centerline of Route 317 (the last three courses being 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track); thence southeasterly 6.557 meters [21.51 feet] to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 49.208 meters [161.44 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly along a curve to the right an arc length of 238.429 meters [782.24 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to an iron pipe, said iron pipe being 48.879 meters [160.36 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly along a curve to the right an arc length of 31.117 meters [102.29 feet Recorded] to an iron pipe, said iron pipe being 48.784 meters [160.05 feet] radially

distant south-easterly from the said centerline of Route 317; thence southwesterly 368.969 meters [1,210.53 feet] to a point 48.910 meters [160.47 feet] normally distant southeasterly from the said centerline of Route 317 (the last three courses' being along the southeasterly railroad right of way line of the TP&W Acquisition Corporation); thence northwesterly 11.903 meters [39.05 feet] to the Point of Beginning, containing 7,420 square meters [79,868 square feet], more or less, or 0.7420 hectares [1.834 acres], more or less.

#### Tract No. 10

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows,

Beginning at a point on the existing southeasterly right of way line of Federal Aid Route 317 (United States Marked Route 24), said point being 26.783 meters [68.19 feet] normally distant southeasterly from the centerline of said Route 317 at Right of Station 18+780.000; thence northeasterly 63.796 meters [209.30 feet] along the existing southeasterly right of way line of said Route 317 to a point 20.783 meters [68.19 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly along a curve to the left an arc length of 1.219 meters [4.00 feet] along the existing southeasterly right of way line of said Route 317 to a point 20,789 meters [68.21 feet] radially distant southeasterly from the said centerline of Route 317; thence southeasterly 0.840 meters [2.76 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 21.629 meters [70.96 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly 65.000 meters [213.25 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 21.614 meters [70.91 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 0.831 meters [2.73 feet] to the Point of Beginning, containing 55 square meters [592 square feet], more or less, or 0.0055 hectares [0.014 acres], more or less.

#### Tract No. 11

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing southeasterly right of way line of Federal Aid Route 317 (United States Marked Route 24), said point being 21.146 meters [69.38 feet] radially distant southeasterly from the centerline of said Route 317 at Right of Station 18+937.081; thence northeasterly along a curve to the left an arc length of 4.001 meters [13.13 feet] along the existing southeasterly right of way line of said Route 317 to a point 21.161 meters [69.43 feet] radially distant southeasterly from the said centerline of Route 317; thence southeasterly 7.413 meters [24.32 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 28.573 meters [93.74 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly 4.001 meters [13.13 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 26.569 meters [93.73 feet] radially distant southeasterly from the said centerline of Route 317; thence northwesterly 7.424 meters [24.36 feet] to the Point of Beginning, containing 30 square meters [323 square feet], more or less, or 0.0030 hectares [0.007 acres], more or less.

#### Tract No. 12"

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the existing southeasterly right of way line of Federal Aid Route 317 (United States Marked Route 24), said point being 21.377 meters [70.13 feet] radially distant southeasterly from the centerline of said Route 317 at Right of Station 18+999.923; thence northeasterly 58.522 meters [192.00 feet] along the existing southeasterly right of way line of said Route 317 to a point 21.580 meters [70.80 feet] radially distant southeasterly from the said centerline of, Route 317; thence northeasterly 54.225 meters [177.90 feet] along the existing southeasterly right of way line of said Route 317 to a point to a point on the southerly line of a proposed permanent easement, said point being 19.201 meters [63.00 feet] radially distant southeasterly from the said centerline of Route 317; thence southeasterly 7.928 meters [26.00 feet] along the southerly line of a proposed permanent easement to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 27.128 meters [89.00 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly 113.030 meters [370.83 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 21.859 meters [71.72 feet] radially distant southeasterly from the said centerline of Route 317; thence northwesterly 0.482 meters [1.58 feet] to the Point of Beginning, containing 356 square meters [3,832 square feet], more or less, or 0.0356 hectares [0.088 acres], more or less.

#### Tract No. 13

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point 1.45 meters [4.76 feet] southeasterly from the centerline of the nearest westerly track and 40.691 meters [133.50 feet] radially distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 19+111.624, thence northeasterly 30.201 meters [99.08 feet] to a point 1.45 meters [4.76 feet] southeasterly from the centerline of the nearest westerly track and 44.869 meters [147.21 feet] radially distant southeasterly from the said centerline of Route 317; thence southeasterly 4.554 meters [14.94 feet] to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 49.399 meters [162.07 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly 23.530 meters [77.20 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to a point 49.132 meters [161.19 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly along a curve to the right an arc length of 6.382 meters [20.94 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to a point 49.208 meters [161.44 feet] radially distant southeasterly from the said centerline of Route 317; thence northwesterly 8.520 meters [27.95 feet] to the Point of Beginning, containing 195 square meters [2,099 square feet], more or less, or 0.0195 hectares [0.048 acres], more or less.

#### Tract No. 14

A part of the Northwest Quarter of Section 14, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on a easterly line of a proposed permanent easement, said point being 1.45 meters, [4.76 feet] northwesterly from the centerline of the nearest easterly track and 28.188 meters [92.48 feet] radially distant southeasterly from the centerline of Federal Aid Route. 317 (United States Marked Route 24) at Right of Station 19+127.847; thence northeasterly 4.502 meters [14.77 feet] along the said easterly line of a proposed permanent easement to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 28.278 meters [92.78 feet] radially distant southeasterly from the said centerline of Route 317; thence southeasterly 15.316 meters [50.25 feet] to a point 1.45 meters [4.76 feet] southeasterly from the centerline of the nearest westerly track and 43.593 meters [143.02 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly 4.550 meters [14.93 feet] to a point 1.45 meters [4.76 feet] southeasterly from, the centerline of the nearest westerly track and 42.957 meters [140.93 feet] radially distant southeasterly from the said centerline of Route 317; thence northwesterly 14.769 meters [48.45 feet] to the Point of Beginning, containing 68 square meters [732 square feet], more or less, or 0.0068 hectares [0.017 acres], more or less.

#### Tract No. 15

A part of the Southwest Quarter of Section 11 and a part of the Northwest Quarter of Section 14. situated in Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows,

Beginning at a point on the existing southeasterly right of way line of Federal Aid' Route 317 (United States Marked Route 24), said point being 18.597 meters [61.01 feet] radially distant southeasterly from the centerline of said Route 317 at Right of Station 19+140.849; thence northeasterly 212.691 meters [697.80 feet] along the existing southeasterly right of way line of said Route 317 to a point on the southerly line of a proposed permanent easement, said point being 25.198 meters [82.67 feet] normally distant southeasterly from the said centerline of Route 317; thence southeasterly 2.970 meters [9.74 feet] along the said southerly line of a proposed permanent easement to a point 28.168 meters [92.41 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 13.000 meters [42.65 feet] along the easterly line of a proposed permanent easement to a point 28.739 meters [94.29 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 2.969 meters [9.74 feet] along the northerly line of a proposed permanent easement to a point on the existing southeasterly tight of way line of said Route 317. said point being 25.770 meters [84.55 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 40.965 meters [134.40 feet] along the existing southeasterly right of way line of said Route 317 to a point on the east line of the Southwest Quarter of said Section 11, said point being 27.573 meters [90.46 feet] normally distant southeasterly from the said centerline of Route 317; thence southerly 17.087 meters [56.06 feet] along the said east line to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 36.107 meters [118.46 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 17.272 meters [56.67 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 35.750 meters [117.29 feet] normally distant southeasterly from the centerline of said Route 317; thence southwesterly 146.520 meters [480.71 feet] to a point 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 30.298 meters [99.40 feet] radially distant southeasterly from the said centerline of Route 317; thence southwesterly along a curve to the right an arc length of 88.576 meters [290.60 feet] to a point on the northerly line of a proposed permanent easement, said point being 1.45 meters [4.76 feet] northwesterly from the centerline of the nearest easterly track and 28.396 meters [93.16 feet] radially distant

southeasterly from the said centerline of Route 317; thence northwesterly 9.799 meters [32.15 feet] along the northerly line of a proposed permanent easement to the Point of Beginning, containing 2,579 square meters [27,760 square feet], more or less, or 0.2579 hectares [0.637 acres], more or less.

#### Tract No. 16

A part of the Southwest Quarter of Section 11, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 41.468 meters [136.05 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 19+289.752, thence northeasterly 30.000 meters [98.42 feet] to a point, 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 42.767 meters [140.31 feet] normally distant southeasterly from the said centerline of Route 317; thence southeasterly 11.916 meters [39.09 feet] to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 54.775 meters, [179.71 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 30.002 meters [98.43 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to a point 53.645 meters [176.00 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 12.264 meters [40.24 feet] to the Point of Beginning, containing 363 square meters [3,907 square feet], more or less, or 0.0363 hectares [0.090 acres], more or less.

#### Tract No. 17

A part of the Southwest Quarter of Section 11, Township 7 North, Range 7 East of the Fourth Principal Meridian, in the County of Peoria and State of Illinois, described in detail as follows.

Beginning at a point on the east line of the Southwest Quarter of said. Section 11, said point being 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 44.876 meters [147.23 feet] normally distant southeasterly from the centerline of Federal Aid Route 317 (United States Marked Route 24) at Right of Station 19+376.242, thence southerly 22.500 meters [73.82 feet] along the said east line to a point on the southeasterly railroad right of way line of the TP&W Acquisition Corporation, said point being 56.118 meters [184.11 feet] normally distant southeasterly from the said centerline of Route 317; thence southwesterly 37.550 meters [123.20 feet] along the southeasterly railroad right of way line of the TP&W Acquisition Corporation to a point 54.775 meters [179.71 feet] normally distant southeasterly from the said centerline of Route 317; thence northwesterly 11.916 meters [39.09 feet] to a point 3.35 meters [10.99 feet] southeasterly from the centerline of the nearest westerly track and 42.767 meters [140.31 feet] normally distant southeasterly from the said centerline of Route 317; thence northeasterly 56.803 meters [186.36 feet] to the Point of Beginning, containing 560 square meters [6,028 square feet], more or less, or 0.0560 hectares [0.138 acres], more or less.

The said Tracts No. 1 thru 17 contain a total of 14,490 square meters [155,967 square feet] more or less, or 1.4490 hectares [3.581 acres], more or less.